

AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT

I, Jason Stewart, being first duly sworn, hereby depose and state as follows:

INTRODUCTION AND AGENT BACKGROUND

1. I have been employed as a Special Agent since May of 2017. I am currently assigned to the Joint Terrorism Task Force (JTTF) at the Knoxville Field Office of the FBI. My primary duties and responsibilities involve the investigation of violations of federal law including violent crime as found in Title 18 of the United States Code and the Controlled Substances Act as found in Title 21 of the United States Code. I have investigated federal criminal violations including Domestic Terrorism Organizations (DTO), violent crime and gangs, drug trafficking organizations, criminal enterprises, fugitives, and Violent Crimes Against Children. Prior to serving with the FBI, I was an officer in the United States Army for eight years, and a police officer with the Knoxville Police Department in Tennessee for two years. I have received formal training in investigations at the Knoxville Police Academy in Tennessee, and the FBI Academy in Quantico, Virginia. As an FBI Special Agent, I am authorized to investigate violations relating to child exploitation and Child Sexual Abuse Material (CSAM), including the production, transportation, receipt, distribution, and possession of CSAM, in violation of 18 U.S.C. §§ 2251 and 2252A, as well as the enticement and coercion of minors, in violation of 18 U.S.C. § 2422(b). I have gained experience in conducting these investigations through training and through everyday work, including executing search warrants and interviewing individuals who trade CSAM and who seek to sexually exploit children. As part of my training and experience, I have observed and reviewed numerous examples of CSAM, as defined in 18 U.S.C. § 2256, in multiple forms of media. I have been trained by the FBI in the acquisition, imaging, extraction, and analysis of digital evidence from computers, cellular

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EXHIBIT

1

3:24-MJ-2065

telephones, and other electronic devices. I have also been trained by the FBI in digital image and video recovery. I have attended several courses on cybersecurity and cyber investigations provided by the FBI and private industry.

2. This affidavit is in support of an arrest warrant for Kyle William **SPITZE** (hereafter **SPITZE**), a 24-year-old white male.

3. This affidavit is intended to show merely that there is sufficient probable cause for the requested complaint and does not set forth all of my knowledge about this matter.

4. Based on my training and experience and the facts as set forth in this affidavit, there is probable cause to believe that **SPITZE** violated Title 18 United States Code §2251(a) and (e) Sexual Exploitation of Children.

PROBABLE CAUSE

5. FBI has been investigating **SPITZE** and others [REDACTED]

[REDACTED]
[REDACTED]
[REDACTED] On February 10, 2024, a Federal search warrant for **SPITZE**'s black Apple iPhone (hereafter, **SPITZE**'s iPhone) was issued in the Eastern District of Tennessee – Knoxville. The affidavit is incorporate herein as Exhibit A. (See, 24-MJ-[REDACTED]). FBI Agents seized **SPITZE**'s iPhone later that day from Peninsula Behavioral Health.

REVIEW OF KYLE SPITZE'S IPHONE

6. On February 16, 2024, **SPITZE**'s iPhone was forensically examined by the FBI's Computer Analysis Response Team (CART). [REDACTED]
[REDACTED]

[REDACTED] The remaining albums were labeled with nicknames or were descriptions of their contents, such as "cut signs." All of the albums contained similar violent and/or sexual content.

7. One album was labeled with the name of Minor Victim 1¹ (hereafter MV1). In MV1's folder were approximately 16 images and 4 videos. Your Affiant believes the images and videos all have MV1 in them or she was ordered to create them or both.

8. One image in MV1's folder was of a bare vagina being spread apart with fingers (hereinafter CSAM Image 1). Another image in MV1's folder was of a female, nude from the naval down, with her pubic area exposed (hereinafter CSAM Image 2).

9. FBI CART identified metadata for at least one of the videos located in MV1's folder that gave a latitude and longitude to the location where the video was taken. Based on that information, the FBI was able to identify MV1 and contact her parents. MV1 agreed to a forensic interview (FI). Your Affiant would note MV1 is located outside of Tennessee.

10. Your Affiant recognizes a few of the images and videos in MV1's folder from the [REDACTED] hype video posted on the [REDACTED] telegram channel titled "Our Girls" described in paragraph 38 of the 3:24-MJ-[REDACTED] affidavit (previously incorporated and attached hereto as Exhibit A).

11. FBI CART also located the Telegram application on SPITZE's iPhone, which was logged in to Telegram account "criminal" when it was seized. In the Telegram application were messages between "criminal" and MV1 between January 29, 2024, and February 5, 2024. MV1 sent a message saying, "kyle." Seven days later "criminal" replied, "leave me alone [MV1's name]."

¹ Minor Victim 1's true identity and age are known to law enforcement.

12. **SPITZE**'s iPhone contained thousands of iMessages between MV1 and **SPITZE** between July 2023 and October 2023.

13. On January 19, 2024, **SPITZE**, using the Telegram account "criminal", distributed MV1's information [REDACTED]
[REDACTED] **SPITZE** replied, "she's in the content channel...cutting her tongue and nude,"

FORENSIC INTERVIEW OF MV1

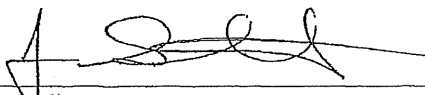
14. On February 20, 2024, an FBI Child and Adolescent Forensic Interviewer (CAFI) interviewed MV1. Your Affiant was present for the interview. During the FI, MV1 said **SPITZE** operated the "criminal" persona on Discord and Telegram. MV1 identified herself in CSAM Image 1 and CSAM Image 2, and stated she took the images at **SPITZE**'s demand and sent them to him. MV1 said she was 12 years old when the images were taken. MV1 said **SPITZE** demanded CSAM and self-harm images and videos of her on several occasions. Your Affiant would note the metadata in CSAM Images 1 and 2 corroborates that MV1 was 12 years old when the images were taken.

CONCLUSION

15. Based on the foregoing, there is probable cause to believe that Kyle William SPITZE committed violations of Title 18, United States Code §2251(a) and (e) Sexual Exploitation of Children.

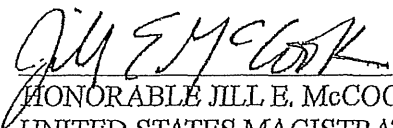
FURTHER AFFIANT SAYETH NAUGHT.

Executed this 21st day of February 2023
At Knoxville, Tennessee.



Jason A. Stewart
Special Agent
Federal Bureau Investigation

Subscribed and sworn to before me on this 21st day of February 2024.



HONORABLE JILL E. McCOOK
UNITED STATES MAGISTRATE JUDGE
EASTERN DISTRICT OF TENNESSEE

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TENNESSEE
AT KNOXVILLE

IN THE MATTER OF THE SEARCH OF A
BLACK APPLE IPHONE BELONGING TO
KYLE SPITZE CURRENTLY IN THE
CUSTODY OF PENINSULA
BEHAVIORAL HEALTH, 2347 JONES
BEND ROAD, LOUISVILLE, TENNESSEE

Case No. 3:24-MJ- [REDACTED]

Filed Under Seal

AFFIDAVIT IN SUPPORT OF
AN APPLICATION FOR A SEARCH WARRANT

